

Message Text

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ACTION IO-10

INFO OCT-01 AF-10 ISO-00 ARA-10 EA-10 EUR-12 NEA-10 RSC-01

OIC-02 FEA-01 AID-05 CEQ-01 CIAE-00 COA-01 COME-00

DODE-00 EB-07 EPA-04 INR-07 L-02 NSF-02 NSC-05

NSAE-00 PM-03 OES-05 SS-15 SP-02 /126 W

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 8383

INFO AMEMBASSY NAIROBI

UNCLAS USUN 5868

E.O. 11652: N/A

TAGS: AORG, UNGA, UNEP

SUBJ: 29TH UNGA SECOND COMMITTEE ITEM 46 ENVIRONENT

ARGENTINE RESOLUTION A/C.2/L.1368/REV. 2

REF: STATE 266164

1. SECOND COMMITTEE IN P.M. SESSION DECEMBER 9 CONSIDERED ARGENTINE RESOLUTION A/C.2/L.1368/REV.2. ARGENTINE DEL INTRODUCED REV.2 OF RES AFTER WHICH US DEL INTRODUCED AMENDMENT TO CHAPEAU OF OP PARA 4: (REQUESTS THE GOVERNING COUNCIL OF THE UNITED NATIONS ENVIRONMENT PROGRAM TO CONSIDER REQUESTING THE EXECUTIVE DIRECTOR." IN INTRODUCING AMENDMENT US DEL MADE THE FOLLOWING STATEMENT:

"THE LANGUAGE OF THE CHAPEAU OF OPERATIVE PARAGRAPH 4 AS NOW WRITTEN REQUESTS THE UNEP EXECUTIVE DIRECTOR TO UNDERTAKE THOSE NINE ACTIONS CALLED FOR IN PARAGRAPHS 4(A) THROUGH 4(I) WITHOUT TAKING INTO ACCOUNT THE UNEP GOVERNING COUNCIL. MY DELEGATION'S AMENDMENT WOULD CHANGE THE LANGUAGE SO THAT THE UNEP EXECUTIVE DIRECTOR WOULD UNDERTAKE THE IDENTICAL NINE ACTIONS BUT ONLY IF REQUESTED BY GOVERNING COUNCIL AS SUGGESTED BY THE GA.

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SHOULD THIS RESOLUTION BEFORE US CONTINUE TO CONTAIN THE LANGUAGE NOW IN THE CHAPEAU OF OPERATIVE PARAGRAPH 4, THE BASIC PROVISION OF UNGA RESOLUTION 2997 (XXVII) WHICH ESTABLISHED UNEP WOULD BE UNDERMINED, SINCE UNGA RESOLUTION 2997 (XXVII) CLEARLY SUBORDINATED THE UNEP EXECUTIVE DIRECTOR TO A GOVERNING COUNCIL. FURTHERMORE, IT WAS THE INTENTION OF THE GENERAL ASSEMBLY THAT GOVERNMENTS WOULD SEND DELEGATIONS TO THIS GOVERNING COUNCIL WHICH WOULD HAVE BOTH THE POLITICAL AND TECHNICAL EXPERTISE TO SET THE PARAMETERS OF ENVIRONMENTAL POLICY AND TO OVERLOOK THE IMPLEMENTATION OF THIS POLICY. IT IS MY DELEGATION'S VIEW THAT IT IS WRONG FOR THE GENERAL ASSEMBLY TO TAKE UPON ITSELF THE RESPONSIBILITIES OF THE UNEP GOVERNING COUNCIL, WHICH IS PRECISELY WHAT THIS RESOLUTION DOES, AS IT IS NOW WRITTEN. IT IS WRONG IN PRINCIPLE AND IT IS WRONG IN TERMS OF EFFICIENCY. THE RESULT, ON THE CONDUCT OF THE UNEP'S BUSINESS, SHOULD THE PRESENT LANGUAGE STAND, CAN ONLY BE CONFUSION AND FRUSTRATION; BUT MORE IMPORTANTLY, IN THE WAKE OF THIS CONFUSION AND FRUSTRATION THE ENVIRONMENTAL GOALS, WHICH WE ALL FAVOR, WOULD BE ACHIEVED ONLY WITH DELAY AND IN SOME CASES POSSIBLY NOT AT ALL. THE AMENDMENT PROPOSED BY MY DELEGATION WOULD CORRECT THIS SITUATION.

THIS PROPOSED AMENDMENT WOULD NOT LIMIT IN ANY WAY THE RIGHT AND DUTY OF THE GA TO PASS JUDGEMENT, IN ITS WISDOM, ON THE WORK OF THE GC OF THE UNITED NATIONS ENVIRONMENT PROGRAM OR, THROUGH THE UNEP GC, THE WORK OF THE UNEP SECRETARIAT. THIS IS THE RESPONSIBILITY OF OUR COMMITTEE, AND IT SHOULD BE CARRIED OUT WITH VIGOR AND THOUGHTFUL CONSIDERATION. IF WE, IN OUR WISDOM, ARE UNHAPPY WITH A STATE OF AFFAIRS, LET US BY ALL MEANS SAY SO. LET US IDENTIFY THE ILLS AND TAKE THE STEPS TO ASSURE THAT A CURE IS SET IN MOTION. BUT LET US AT THE SAME TIME NOT PUT OURSELVES INTO A POSITION WHERE WE MUST PRESCRIBE REMEDIES TO THE ILLS THAT WE MIGHT IDENTIFY. THAT IS THE JOB OF THE UNEP GC. MY DELEGATION'S AMENDMENT DOES NOT - I REPEAT NOT - INTERFERE IN ANY WAY WITH THIS IMPORTANT RESPONSIBILITY. INDEED, SHOULD THIS AMENDMENT BE APPROVED, OUR COMMITTEE, AGAIN TAKING THE LONG VIEW, WOULD HAVE MORE TIME TO CARRY OUT THIS RESPONSIBILITY AND WE WOULD AVOID GETTING BOGGED DOWN

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IN TECHNICAL AND QUASI-TECHNICAL DETAILS THAT IN MANY RESPECTS ARE BEYOND OUR COMPETENCE AND OUR LEGITIMATE CONCERNS.

FORGIVE ME, MR. CHAIRMAN, FOR TAKING UP SO MUCH OF THE COMMITTEE'S TIME IN INTRODUCING THIS AMENDMENT, BUT IT IS THE VIEW OF MY DELEGATION THAT THE ISSUE AT HAND IS IMPORTANT ENOUGH TO CONSIDER WITH THE UTMOST SERIOUSNESS, AND I FELT IT WAS NECESSARY TO GO INTO SOME DETAIL. THE RESOLUTION

BEFORE US IS JUST NOT ANOTHER RESOLUTION THAT SAYS THIS OR THAT ABOUT A REPORT OF SOME GOVERNING COUNCIL. THERE IS A MATTER OF PRINCIPLE INVOLVED, ONE ABOUT WHICH MY DELEGATION HAS THE STRONGEST VIEWS, AND ONE IN WHICH INDEED ALL OF US SHOULD HAVE STRONG VIEWS. ON THIS POINT WE BELIEVE THE ONLY REASONABLE STAND ON THIS AMENDMENT IS EITHER "YES" OR "NO", WHICH IS THE CASE ON ALL MATTERS OF PRINCIPLE."

2. VOTE ON AMENDMENT WAS 6 (US, ISRAEL, NEW ZEALAND, UK, ITALY, BANGLADESH) - 65 - 36. VOTE ON RESOLUTION AS A WHOLE WAS AS FOLLOWS: 111-1(US)-1(UK).

3. IN EXPLANATION OF VOTE US DEL STATED THAT NEGATIVE VOTE ON RESOLUTION AS A WHOLE REFLECTED OUR VIEWS ON THE CHAPEAU OF OP PARA 4. WENT ON TO SAY THAT IF US AMENDMENT HAD BEEN APPROVED THE US WOULD HAVE ASKED FOR SEPARATE VOTES ON OP PARAS 2(A) AND 4(B), WOULD HAVE CAST NEGATIVE VOTES ON THESE PARAS AND ABSTAINED ON RESOLUTION AS A WHOLE. REASON GIVEN WAS THAT LANGUAGE OF THESE PARAS SOUGHT TO UTILIZE GA RESOLUTIONS 3201 AND 3202 OF THE 6TH SPECIAL SESSION AS GUIDEPOSTS TO STRUCTURE THE ACTIVITIES OF UNEP. FOR THE RECORD REAFFIRMED US OFT REPEATED POSITION ON THESE TWO RESOLUTIONS.
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